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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,134	06/24/2003	Sridhar Sadasivan	86569WRZ	1606
7590	08/10/2005		EXAMINER	
Milton S. Sales Patent Legal Staff Eastman Kodak Compamy 343 State Street Rochester, NY 14650-2201			RIELLEY, ELIZABETH A	
			ART UNIT	PAPER NUMBER
			2879	
DATE MAILED: 08/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/602,134	SADASIVAN ET AL.
	Examiner	Art Unit
	Elizabeth A. Rielley	2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 May 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 6/24/03 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendment filed 5/24/05 has been entered and considered by the Examiner. Claims 6 and 7 have been canceled. Currently, claims 1-5 are pending in the instant application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Alivisatos et al (US 5537000).

In regard to claim 1, Alivisatos et al ('000) teaches a light emitting display comprising a first addressing electrode (10; figure 4; column 4 lines 45-49); a second addressing electrode (40; figure 4 column 7 lines 45-60); and a nanomorphic material layer (30; column 6 lines 4-13) having at least one non-polymeric organic compound (column 6 lines 26-65, since the nano-particles are bonded/adhered by non-polymeric organic compounds, thus the nanomorphic layer comprises at least one polymeric organic compound as claimed) positioned between the first addressing electrode and the second addressing electrode (column 7 lines 45-49).

In regard to claim 2, Alivisatos et al ('000) teaches the nanomorphic material is a first non-polymeric organic nanomorphic material adapted to luminesce at a first wavelength (abstract; column 5 line 60 to column 7 line 42). Although Alivisatos et al ('000) does not directly teach the invention to be made from an organic material, Alivisatos et al ('000) nevertheless teaches the possible use of an organic nanomorphic material, but prefers an inorganic material in order to withstand higher temperatures (column 2 lines 1-10).

In regard to claim 3, Alivisatos et al ('000) teaches a second (34; figure 7) organic (column 2 lines 1-10) non-polymeric (column 5 line 60 to column 7 line 42) nanomorphic material positioned between the first addressing electrode (10) and the second addressing electrode (40; not shown in figure 7) in a location other than a location of the first organic nanomorphic material, the second organic nanomorphic material being adapted to luminesce at a second wavelength (column 8 line 64 to column 9 line 30).

In regard to claim 4, Alivisatos et al ('000) teaches the first organic non-polymeric (column 5 line 60 to column 7 line 42) nanomorphic material (32; figure 6) has an equivalent chemical composition when compared to the second organic nanomorphic material (34; figure 6; column 9 lines 6-20).

In regard to claim 5, Alivisatos et al ('000) teaches the first organic non-polymeric (column 5 line 60 to column 7 line 42) nanomorphic material (32; figure 8; column 9 lines 31-40) having a first chemical composition, the second organic nanomorphic material (36; figure 8) having a second chemical composition, wherein the first chemical composition does not equal the second chemical composition (column 9 lines 31-40).

Response to Arguments

Applicant's arguments filed 5/24/05 have been fully considered but they are not persuasive.

Applicant argues that Alivisatos et al ('000) fails to disclose a nanomorphic material have at least one non-polymeric organic compound. However, Alivisatos et al ('000) teaches of a nanocrystal for the nanomorphic material layer, which may be organic (column 5 line 60 to column 7 line 42; abstract; column 2 lines 1-10).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Elizabeth Rielley
Elizabeth Rielley

Examiner
Art Unit 2879

Mariceli Santiago
MARICELI SANTIAGO
PRIMARY EXAMINER